

(9)

Remarks

Claims 1-32 and new Claim 33 are pending in the present application.

In the office action, the Examiner objected to the disclosure in that at page 8, line 22, "2C" was repeated and the second occurrence should be changed to "2D." The Examiner also noted that Applicants should note the disposition of the parent application in the specification.

Applicants have added a paragraph at the beginning of the specification stating the disposition of the parent application. Applicants have also amended the paragraph beginning at line 22, page 8, to change "2C" to "2D."

In the office action, the Examiner rejected Claims 16-19 under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the Applicants regards as their invention in that Claims 16-19 fail to structurally limit the claims they depend upon.

Applicants respectfully traverse the rejection of Claims 16-19. Claim 10 recites, "Apparatus for shredding a document rendering information contained in the document unintelligible, comprising: a document reader for providing an image ... a processor coupled to the document reader for analyzing the image to determine a desired cut pattern; and a document shredder responsive to instructions generated by the processor for cutting the document into segments in accordance with the desired cut pattern. A processor analyzes the image to determine a desired cut pattern and generates instructions; the document shredder is responsive to the generated instructions to cut the documents into segments in accordance with the desired cut pattern.

Claim 16, dependent upon Claim 10, then states that the processor is subject to a set of predetermined rules for determining the desired cut pattern (Claim 16; specification page 11, lines 23-25). Several examples of different cut patterns are provided in the specification (page 11, line 25 – page 12, line 5). For example, the number of cuts that traverse a printed character may be limited, such limit may be predetermined by the operator at the shredder control panel (page 12, lines 2-5). It is clear that the operation of the processor in

S/N: 09/995,476  
Case: 100200533-1  
Amendment A

(10)

determining the desired cut pattern is limited by a predetermined set of rules. Claims 17, 18 and 19, dependent upon Claim 16, clearly limit the predetermined set of rules by specifying what the desired cut pattern for a particular predetermined set of rules.

For the above reasons, Applicants submit that the rejection of Claims 16-19 under 35 U.S.C. 112, second paragraph, is obviated.

In the office action, the Examiner rejected claims 1, 4 and 5 under 35 U.S.C.102(b) as being anticipated by either Browning or Kroger in that both references show paper shredders having adjustable cutting mechanisms.

Browning (U.S. Patent No. 4,657,192) discloses a paper shredder which includes a stator housing on which stator blades are adjustably mounted and a rotor assembly having a rotor body on which rotor blades are securely fastened (col. 1, lines 59-62). As best shown in Fig. 7, the rotor blades 92, 94 and 96 are securely fastened to the rotor 58 by bolts 106. Similarly, the stator blades 82, 84, 86 and 88 are mounted and securely fastened onto the stator bars 64, 66, 68 and 70, each blade being confined between a flange portion 50D of the sizing screen and a stator bar by bolt fasteners 90 (col. 4, lines 15-26). As best seen in Fig. 6, the rotor and stator blades are separated by a radial air gap 112. The radial clearance provided by the air gap 112 is varied by adjusting the radial projection of each stator blade into the comminuting chamber 46. The air gap clearance 112 is set with the aid of a standard leaf thickness gauge. The actual spacing is determined by the type of material to be comminuted. For paper, air gap spacing 112 of 0.002-0.004 inch is preferred (col. 4, line 68-col. 5, line 7). When the air gap clearance 112 is properly set, the rotor blades and stator blades cooperate to produce an efficient, scissors-like cutting action.

Kroger (U.S. Patent No. 5,961,058) discloses a cutting cylinder suitable for use in a paper shredder and a method for manufacturing the disclosed cutting cylinder. As best shown in Figs. 1 and 2, the disclosed cutting cylinder 10 includes a number of cutter discs 20 fixedly mounted on a hollow cylindrical tube, the tube being expanded such that a portion of the outer surface of the cylindrical tube contacts the inner surface of a central bore of each cutter disc 20 (col. 3, lines 40-52). As a result of the expansion, the outer surface of the cylindrical tube (shaft 60' as shown in Fig. 7) lines the inner surface of the cutter discs so that the cutter discs are fixed from substantial rotation about the expanded

S/N: 09/995,476  
Case: 100200533-1  
Amendment A

(11)

cylindrical tube (shaft 60 as shown in Figs. 1 and 2) as well as from substantial lateral movement along the expanded cylindrical tube (col. 5, lines 1-8).

In contrast, Applicants describe and claim and a method for shredding documents including analyzing the text or image printed on each page of a document to determine a desired cut pattern for shredding the documents into segments. The disclosed method further includes adjusting the cutting position of one or more cutting devices such that the document pages are shredded in accordance with the desired cut pattern (page 2, line 23 – page 3, line 2). More specifically, when the analysis of the text or image printed on a page has been completed, a set of instructions is generated and coupled to a control unit, which in turn, generates a control signal in accordance with the set of instructions to adjust the positions of the shredder cutting components (page 12, lines 6-13).

Applicants have amended Claim 1 to recite, “A method for shredding documents ... comprising the steps of: analyzing an image printed on a document to determine a desired cut pattern for the document; adjusting one or more cutting devices in accordance with the desired cut pattern; and cutting the document into segments ....” Support for this amendment can be found in the specification at page 2, lines 23-26. No new matter has been added by this amendment.

There is no question that Browning discloses a paper shredder having an adjustable air gap clearance between the cutter blades; however, the actual spacing between the blades is determined by the type of material to be comminuted or shredded (col. 5, lines 4-6). Kroger teaches a method for manufacturing a cutting cylinder for a paper shredder, the lateral and rotational positions of each cutter disc being adjustable to a desired position during the manufacturing process, but fixed in the finished cutting cylinder (col. 5, lines 1-5).

Anticipation requires that all of the elements and limitations of a claim be found within a single prior art reference. Neither Browning nor Kroger teach or suggest a document shredder or method for shredding documents wherein a desired cut pattern is determined by analysis of the text or image printed on a document. Consequently, Applicants submit that Claim 1, as amended, is allowable.

S/N: 09/995,476  
Case: 100200533-1  
Amendment A

(12)

New Claim 33 added by this amendment recites, "A method for shredding documents rendering information contained in the documents unintelligible, comprising the steps of: determining a desired cut pattern for a document; responsive to a control signal, adjusting one or more cutting devices in accordance with the desired cut pattern; and cutting the document into segments in accordance with the desired cut pattern. Claims 2, 4, 5 and 6 have been amended to depend from new Claim 33. Support for new Claim 33 is found throughout the specification. No new matter has been added by these amendments.

While there is no question that Browning discloses a paper shredder having an adjustable air gap clearance between the cutter blades, the actual spacing between the blades being determined by the type of material to be shredded, Browning teaches a stator blade which is securely fastened in place against a stator bar by bolt fasteners (col. 4, lines 25, 26). Browning teaches apparently using a wrench or other suitable tool to loosen the stator blade bolt fasteners, then adjusting the gap clearance with the aid of a standard leaf thickness gauge (col. 5, lines 3, 4), and then retightening the bolt fasteners. Kroger does not disclose a paper shredder having cutter blades or discs which can be adjusted to provide varying gaps therebetween. Rather, Kroger teaches a method for manufacturing a cutting cylinder for a paper shredder, the lateral and rotational positions of each cutter disc being adjustable to a desired position during the manufacturing process, but fixed in the finished cutting cylinder (col. 5, lines 1-5).

Neither Browning nor Kroger teach or suggest a document shredder or method for shredding documents including adjustable cutting devices responsive to a control signal to adjust one or more of the cutting devices in accordance a desired cut pattern. Consequently, Applicants submit new Claim 33 is allowable. Claims 2, 4, 5 and 6, as amended, and Claims 3 and 7-9 are allowable for the same reasons the claims that they depend from are allowable.

In the office action the Examiner objected to Claims 2, 3 and 6-9 as being dependent upon a rejected base claim. As discussed above, new Claim 33 is believed to be allowable over the art cited and relied upon. Consequently, since Claims 2, 3 and 6-9 depend from new Claim 33, Applicants submit that the Examiner's objection to these claims is obviated.

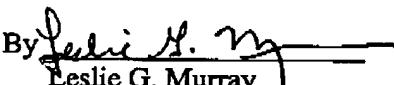
Applicants note with thanks the allowance of Claims 10-15 and 20-32.

S/N: 09/995,476  
Case: 100200533-1  
Amendment A

(13)

In view of the foregoing remarks, Applicant respectfully submits that Claims 1, 2, 4, 5 and 6, as amended, Claims 3 and 7-32 and new Claim 33 are in condition for allowance. Consequently, early and favorable action allowing these claims and passing the application to issue is earnestly solicited.

Respectfully submitted,  
Brent J. McLean et al.

By   
Leslie G. Murray  
Reg. No. 31,183

Dated: March 4, 2004  
(208) 396-2880  
Fax: (208) 396-3958

S/N: 09/995,476  
Case: 100200533-1  
Amendment A